

Example 1

	A	B	C	D
1	Applicant Delays	Action	Date of mailing or filing	Office delays beyond statutory periods
2		Application "A" filed	1/2/98	(Term of patent runs from this filing date and no actions in this first application can be relied upon for term adjustment purposes)
3	4 month (119 day) Reduction- Rule 1.704(c)(6) defines period from filing to completion of application as a failure to engage in reasonable efforts to conclude prosecution	Application "B" filed as a CPA, without the filing fee	5/29/00	Meets 14 month period
4		Notice to File Missing Parts (CPA) mailed	7/25/00	
5		Filing fee Filed	9/25/00	
6		Restriction Requirement mailed (1 month period set)	11/13/00	Meets three year period
7	52 days- Statute, Rule 1.704(b), define delay beyond three months to respond to Office as delay	Election and petition for a three month extension of time (EOT)	4/6/01	
8		first action on merits mailed (3 month period set)	9/10/01	does not meet 4 month period (misses by 35 days)
9		Amendment filed with 1 month EOT	11/1/01	
10		Notice of Allowability and Notice of Allowance and Issue Fee Due mailed, biological material deposit (§1.809(c)) required	12/3/01	Meets 4 month period
11	11 days- Statute, Rule 1.704(b), define delay beyond three months to respond to Office as delay	Issue Fee Paid	2/28/02	
12		Biological Material Deposit Filed, with 1 month EOT	3/15/02	Meets 4 month period
13		Patent Issues	7/9/02	
14		Expiration Date of Patent with Adjustment	1/2/18	
15				
16		(without reductions)	Reduction	Resulting Adjustment
17	14,4,4& 4 Adjustment	35	183	0
18	Three Year Adjustment	0	183	0
19	Interference, secrecy order, appellate review	none		
20				
21	Patent term adjustment			0